

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JENIECE ILKOWITZ and ADAM ILKOWITZ,

Plaintiffs,

-against-

MICHAEL DURAND, MARLENE ZARFES
a/k/a MARLENE DURAND, ALAN C. PILLA,
HOULIHAN LAWRENCE, INC. JANE H.
CARMODY, THE JUDICIAL TITLE
INSURANCE AGENCY LLC, and ENCO
HOME INSPECTIONS LLC,

Defendants.

Case No. 17 Civ. 773 (PGG)

NOTICE OF MOTION


PLEASE TAKE NOTICE that, upon the accompanying Statement of Material Facts pursuant to Local Civil Rule 56.1, the Declaration of Vincent Morano dated June 1, 2017, and the exhibits thereto, the Declaration of Scott J. Pashman dated June 1, 2017, and the exhibits thereto, the accompanying memorandum of law, and upon all the pleadings and proceedings heretofore had herein, Defendant Judicial Title Insurance Agency LLC (“Judicial Title”) will move this Court, at a time and date to be set by the Court, for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), 12(d), and 56, dismissing or granting summary judgment with respect to (1) Plaintiffs’ Fifth Cause of Action for Negligence, which is the only cause of action asserted by Plaintiffs against Judicial Title; (2) the cross-claim for contribution and/or indemnification asserted against Judicial Title by Defendants Michael Durand and Marlene Zarfes, a/k/a Marlene Durand (“Durand Defendants”); and (3) the cross-claim for contribution and/or indemnification asserted by Defendant Houlihan Lawrence, Inc. and Jane H. Carmody.

In accordance with the Court's Order dated May 1, 2017 (Docket No. 67), opposition papers shall be due on June 29, 2017, and reply papers shall be due on July 10, 2017.

Dated: New York, New York
June 1, 2017

Respectfully submitted,

ADAM LEITMAN BAILEY, P.C.

By: 
Adam Leitman Bailey
Scott J. Pashman
Danny Ramrattan

One Battery Park Plaza, 18th Floor
New York, New York 10004
(212) 825-0365

Email 1: alb@alblawfirm.com

Email 2: spashman@alblawfirm.com

Email 3: dramrattan@alblawfirm.com

*Attorneys for Defendant
The Judicial Title Insurance Agency LLC*

Service List

Jean-Claude Mazzola
Benjamin S. Lowenthal
Messner Reeves LLP
805 Third Avenue, 18th Floor
New York, New York 10022
Attorneys for Plaintiffs

Richard Leff
McGivney & Kluger
80 Broad Street
New York, New York 10004
Attorneys for Durand Defendants

Jeffrey Briem
Jones Morrison LLP
670 White Plains Road, PH
Scarsdale, NY 10583
Attorneys for Houlihan Lawrence and Carmody

Robert Bergson
Abrams Garfinkel Margolis Bergson, LLP
1430 Broadway, 17th Floor
New York, New York 10018
Attorneys for Pilla

Dan Chorost
Katherine Ghilain
Sive, Paget & Riesel P.C.
560 Lexington Avenue, 15th Floor
New York, New York 10022
Attorneys for ENCO